

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, March 16, 2023

Riverside, OH

CALL TO ORDER: Mayor Williams called the Riverside, Ohio, City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, absent; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Frank Robinson, Police Chief; Dan Stitzel, Fire Chief; Kathy Bartlett, Public Service Director; Tom Garrett, Finance Director; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Mr. Maxfield moved, seconded by Deputy Mayor Lommatzsch to excuse Mr. Joseph from the council meeting. All were in favor. **Motion carried.**

ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the agenda.

APPROVAL OF AGENDA: Mr. Denning moved, seconded by Mrs. Franklin, to approve the agenda. All were in favor. **Motion carried.**

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Williams led the pledge of allegiance.

Mr. Joseph arrived at 6:04 pm.

OATHS OF OFFICE: Fire Chief Dan Stitzel presented the three additional full-time firefighters: Justin Veverka, Joshua Lipps, and Ian Wilson. Mayor Williams administered the oath of office to the firefighters. Police Chief Frank Robinson presented the two new police officers James Ohlinger and Brandon Newton. Mayor Williams administered the oath of office to the new police officers.

Chief Robinson presented the Officer of the Year Award to Officer George Stamper. He was nominated by three of his peers and received several other appreciation letters from citizens and businesses. Mr. Maxfield stated there was no one more deserving of this award than Officer Stamper. He experienced his service multiple times at Stebbins as he worked to help students. Mr. Joseph told the safety services that they make the city run keeping residents safe. He thanked them for the work they do and thanked the families for raising remarkable public servants.

MINUTES: Mr. Denning moved, seconded by Mr. Maxfield, to approve the minutes of the March 2, 2023, council business meeting. All were in favor. **Motion carried.**

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WRITTEN CITIZEN PETITIONS: Mayor Williams stated that any citizen wishing to speak should fill out a petition form and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Public Service Director – Ms. Bartlett stated they have received their cemetery policy sign that will be posted in the cemetery. Over the years there have been maintenance issues and things that have made the cemetery not so nice and hard for staff to maintain. They have come up with a policy. They will begin implementing the policy in October so people have time to take what they want like the borders. They are not able to keep that up. The sign will go up in the next week or two. They had their kickoff meeting with Shelby Engle, the new engineer with Crawford, Murphy, and Tilly. They provided her with an outline of things they would like to do in the next few months. The Olentangy bridge replacement project will start April 10, 2023. There will be a detour on Olentangy for the project. The schools will be notified of that. She stated today they installed the school flasher on Valley Street across from Stebbins.

B) Fire Department – Chief Stitzel notified everyone of the fire at Rohrer Park and the building that housed the concession stand and Project Riverside. He stated three insurance companies will be involved in the investigation. The fire department knows it was accidental, which makes it a civil issue. They will back out so the insurance companies can investigate. This may take some time as each insurance company will have to bring in their own investigators to see if there is anyone at fault and any liability issues. Crews attended the active shooter activity at WPAFB, yesterday. Things went well with the training, and they were able to find areas for improvement with communications, radio, and interoperability. Overall things went well.

Mr. Joseph asked if Project Riverside carried their own insurance. Mr. Rauch stated they did, and they will be part of the investigation.

C) Police Department – Chief Robinson stated they are doing training with the county and have finished phase one, which is CPR. Phase two, which begins in April, is firearms qualifications; they do this with the county as well as conduct their own. The training they do with the county will count towards the state mandated 24 hours of training for the year. Doing the phase training helps them out by not having officers doing training one hour at a time throughout the year. They finalized replacement of the 15 FLOCK cameras; they have a good handle on what the coverage will be throughout the city with the ingress and egress. They also did a first quarter update of the grant. The cameras should be out there by the end of this month or early next month. He stated they finalized the cruisers builds with P&R in Dayton and with Enterprise. The vehicles are being ordered now. They need newer cars as soon as possible as the 2015s are sounding bad. He stated they met with the Dayton Cold Case Division this past week regarding the homicides that happened on Tidewater. They want to assist the Riverside Police; it

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hasn't been long, but it is a cold case because of the information they have. He can't explain why they want to get involved, but there are a lot of things tied into that, and they think will help to solve the homicide. Deputy Mayor Lommatzsch asked if they would come out on specific cases or when Riverside needs them. Chief Robinson replied there is a lot going on between Riverside and Dayton that a lot coincides, but they can't get into details. He added that he appreciates the council as they help him to get the things they need to have a department running smoothly.

D) City Manager Report – Mr. Rauch stated they have made an offer to a candidate for the finance administrator position. That person has accepted and anticipates a start date of next Thursday. Introductions will be done at a meeting in April. He plans to move forward with a purchase of a software package called Clear Gov. They have a relationship with SSI; it is a budget visualization tool. It is like the State open checkbook only better. The functionality is such that it will automatically read what they are putting into the budget every year and build them a budget book. It will reduce the workload that has to go into creating a budget book; it also has a special section for performance measures. He will work with the new hire to start rolling that out. They are also moving forward with the fleet management process. He will roll some of the management functions of that out to department heads. This will give them more insight into where and how they are burning gas and what maintenance is like for the vehicles.

Mr. Joseph stated with the new software when city's go through this process of new technology, it is a good practice to look at the reports they are getting, and what are the reports the software can provide. Council can then meet and have an understanding and be able to communicate that back to staff on what they want to see on a consistent basis. Mr. Rauch stated what he intends to put this as a work session item to show them what it looks like and what is helpful. One of things he wants to change this year is the financial reports in the packets. Currently, they do a lot of line item information. This tool will help them to quickly summarize at a higher level that is easier to approach.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated that no one turned in a form to speak on agenda items.

OLD BUSINESS

A. ORDINANCES

- I) **Ordinance No. 23-O-820 – An ordinance amending Section 351.03 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Riverside, OH. (2nd reading, public hearing, adoption)**

Deputy Mayor Lommatzsch moved, seconded by Mrs. Franklin, to approve the second reading of Ordinance No. 23-O-820. The clerk read the ordinance by title only.

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Mayor Williams opened the public hearing at 6:40 pm. No one came forward to speak. He closed the public hearing at 6:40 pm.

Roll call: Ms. Lommatzsch, yes; Mrs. Franklin, yes; Mr. Denning, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

- II) **Ordinance No. 23-O-821 – An ordinance amending Chapter 131 Public Health and Safety Commission of the City of Riverside, Ohio. (2nd reading, public hearing, adoption)**

Mr. Denning moved, seconded by Mrs. Franklin, to approve the second reading of Ordinance No. 23-O-821. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:41 pm. No one came forward to speak. He closed the public hearing at 6:42 pm.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

NEW BUSINESS

A. ORDINANCES

- I) **Ordinance No. 23-O-822 – An ordinance to approve current replacement pages to the Codified Ordinances of the City of Riverside, Ohio, and declaring an emergency. (1st reading)**

Mr. Denning moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 23-O-822. The clerk read the ordinance by title only.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

- II) **Ordinance No. 23-O-823 – An ordinance to make supplemental appropriations for current expenses and other expenditures of the City of Riverside, State of Ohio, for the period January 1 through December 31, 2023, and declaring an emergency. (1st reading)**

Mr. Joseph moved, seconded by Mr. Denning, to approve the first reading of Ordinance No. 23-O-823. The clerk read the ordinance by title only.

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Ms. Fry asked what server equipment does the supplemental include. Mr. Rauch stated in the server closet they have the old-style, flat racks and the hard drives on them are failing. The servers are 6-7 years old. They have not getting great reliability. The IT consultant recommended upgrading the servers. They use them for file storage, even though they are in the process of using the cloud for some things, but with the document retention program that is stored locally. They need to have backup and redundancy and get rid of the old ones. Ms. Fry asked if it was fair to say that even though they use the cloud; they will still have an onsite server. Mr. Rauch confirmed that was accurate. He added that they will have less server overhead and server expenses should go down, but it is prudent to have something here as a local backup.

Roll call: Mr. Joseph, yes; Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

A. RESOLUTIONS

- I) **Resolution No. 23-R-2833 - A resolution authorizing the city manager on behalf of the City of Riverside to execute participation forms related to the new National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart.**

Deputy Mayor Lommatzsch moved, seconded by Mr. Denning, to approve Resolution No. 23-R-2833.

All were in favor. **Motion carried.**

DISCUSSION ITEM – Elected Official Compensation: Mr. Rauch stated that he has some information to help set the table for the discussion. First, there was no data to indicate that an increase in compensation led to an interest in running for office. He asked around to some cities and found there is not data to correlate with answers for that question. There are often many factors that motivate a person to run for office or why some cities may have a high council turnover. There is not a clean way to show answer with firm data. Second, there was a question of whether it is legally possible to index council's rate of pay to a third factor as in setting it to OPERS minimum earnable rate/service month. The question has not be settled, but from attorneys there is some hesitancy to do that. Ms. Grandjean stated it was problematic. She did not want to go into the territory of giving legal advice; they can discuss this more at the executive session on April 6, 2023. She believes council needs to pass a resolution for an ordinance each time in accordance with the charter that the salary is increased. She does not believe any kind of automatic increase is going to survive any legal scrutiny. Mr. Rauch recommended should council want to move forward that staff bring forth an ordinance that states the amounts recommended for council pay. He presented a graph indicated municipalities surrounding them and where their pay ranked. Basing their current pay

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of \$4,000/year for councilmembers and \$6,000/year for mayor as established when Riverside became a city in 1995 and running those numbers to inflation, it makes sense to adjust what is on the books just as a measure of keeping up with other communities. He is prepared to bring an ordinance on April 6, 2023, with pay amounts of \$8,000/year for councilmembers and \$12,000/year for the mayor. He asked if they wished for them to do that or if they wish to take a different approach.

Deputy Mayor Lommatzsch stated she is interested in seeing it take place when there is a complete turnover of a council and not mid-term. She does not feel people should be making different amounts. Mr. Rauch stated based on the charter, they cannot change everyone's rate of pay at the same time. The increase has to stay consistent with it becoming effective after the next election. The raise goes to the council seat not to the people. Ms. Fry stated with them passing it as an emergency gives the impression they are voting themselves a raise. Mr. Rauch explained with them passing it as an emergency, that just makes it effective to go on the ballot in November. Ms. Fry stated they did not talk about this the entire five years she has been on council, and there is no reason it has to happen at this election or next election. They are discussing keeping up with inflation which has no timetable. She does not passing this as an emergency. Mrs. Franklin stated the only thing that would be seen as perception are the people that are running for the three seats that are coming up. She stated they need to move forward. Saying inflation is inflation does not make sense to her; if they move it down the road, it will just be more. She stated she has no problem passing this. Mr. Maxfield stated it has been 25 years and nothing has been done regarding council pay. Deputy Mayor Lommatzsch stated that she does not think anyone runs for council for the pay. Discussion was held on PERS rate per month to earn credits. Mr. Joseph stated that Ms. Fry's point is important as is perception. He stated they could pass this as an emergency and then two years later go to the voters for a street levy. He asked what the perception would be passing a raise to council and rushing through it and providing residents with only one opportunity to speak on it. Mr. Rauch stated they would still get two readings; the running it as an emergency makes it effective upon passage and not 30 days later. Ms. Grandjean stated it just doesn't allow for a referendum. Discussion continued on rushing the ordinance through and the perception.

Mr. Rauch stated that after conferring with the law director, they do not have to run this as an emergency as they just need it to adopt the ordinance by at least six months. Adoption is the day they pass it, not the 30-day window. They could have a first reading on April 6, 2023, and a second reading on April 20, 2023, and still have six months before the general election. Mrs. Franklin stated that she feels the legislation needs to come forward. Mayor Williams stated he empathized with both Mr. Joseph and Ms. Fry. He knows working in the community 14 years ago when the land use plan was needing refreshed and his first year as mayor and the land use plan was then even older that he heard discussions about getting a land use plan costing \$12,000 to get a new one, and they just wanted to pay for other things. He is not equating it to that. It is easy to look

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at it as a raise, but he challenges anyone to find something that cost \$25 from 1995, and something that costs \$25 today that is immune from either the purchasing power of a dollar or inflation. He understands what Ms. Fry is saying that there is a perception of giving themselves a raise when they should be paying all these other people; he does not disagree, but this decision was never properly made in the past when other cities around them did. If they continue to wait, they will be waiting forever. Things do cost money, but it gets them closer to an end goal. He discussed how they all take time away from their families because of their stations in the city on council. He thinks there would be a different view if there was something close to an equivalent of a PERS service month to people that would say that would be worth it to be on council for my life and my family's to serve in my community. He knows this is not the entire portion of the decision, but it is not nothing. Mr. Joseph stated he did not want it to look off with them sneaking it in before the election. Further discussion continued on a PERS service month. Mr. Joseph explained that if they were looking at a PERS service month they would have to vote two raises, one in 2024 and 2025, and then the next council would need to be cognizant of 2026 and 2027. Mayor Williams explained that his only rebuttal is that PERS offers a pro-rated amount, even if they don't get the full amount, they get a percentage. Discussion continued on a full PERS service month.

Mrs. Franklin stated that other cities are doing the PERS minimum for a full service month. She hopes in the future that as councilmembers proceed, every few years this is evaluated. She added that in regard to rushing this, she has been bringing this to their attention since the beginning of the year. This has not been a hurry up thing for her. It is for the seats and has nothing to do with her. Mr. Joseph stated people weren't here for that. Mayor Williams asked what 'that' was. Mr. Joseph stated it hasn't been on an agenda. Mayor Williams stated they talked about it at the last meeting and Mrs. Franklin has brought it up with council in conversation to find out if it would be of interest. Ms. Fry stated the pertinent issue is a conversation with the community as they do not know what the community thinks. She thinks it takes time and should engage the community on the issue. Mr. Joseph stated he is not against it, but they should tie it to PERS, go above what Mr. Rauch has proposed. Discussion came up regarding the upcoming storm water utility bill and how it will serve the citizens. Mr. Maxfield stated they can't guarantee someone won't say anything about whatever they vote.

Mayor Williams asked if the total net increase in council salaries once all went through election was \$30,000. Mr. Rauch confirmed that was accurate. Mayor Williams stated he brought that up because over the course of a year he could find one thing in the budget that cost \$30,000 and pull that out and compare it to other things they could spend it on at any time. He compared it to something that was like \$12,000 three years ago and now it's \$15,000; they just continue to defer and what ends up happening is they get stuck. He agrees feels that this is something he can defend. This is the same number that in 1994 the people that incorporated that was the number they set then. If they had been doing it every five or six years and then people come in and say now let's double it

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that that would be egregious, but the fact is that has never been done. If a permit fee for a fence was \$15 in 1995 and still \$15 today, he would think staff time is not the same the cost to do all these things is not the same; why is this number the same. Mr. Joseph stated he is not arguing the facts of this, it is how they are perceiving it. He stated he feels they have enough time to do it without an emergency, but the next question since they can't index it, if they want to move it to a full PERS month, could they do one for 2024 through 2027. Discussion was held on the benefits of a full PERS month.

Mr. Denning stated he is fine with whatever number they come up with. He does not want to pass multiple years at the same time. He wants to pass one year, this time, and then they make sure it comes up again in two or four years, whatever the answer is to tie it with PERS. They need to have it schedule for discussion. It was a process they should have started 25 years ago. They need to get it started and keep it on their schedule. Mr. Rauch stated they can bring a sample on the ordinance at the work session on April 13, 2023; if council approves it, they can read it for a first reading on April 20, 2023, with a second reading on May 4, 2023. This would still be six months prior to the November 7, 2023, election.

Deputy Mayor Lommatzsch had them look at cities that had twice the number of people, but the council made the same amount as they did. She is not opposed to raising it, but jumping it to \$8,000 is a bit much. Others stated they can look at other cities that have a smaller population than Riverside, but their council makes more. Discussion continued on council pay and population. Mr. Denning stated to the Mayor's point, this has never been done before, and they needed to do it 15 years ago. There will be a big jump, but then it if they do it right, future councils will not have to go through this angst to make it happen. Mr. Maxfield stated they need to be cognizant that if staff doesn't get a cost of living increase, then council should not get an increase. Discussion was held on a sample ordinance being presented at the April work session.

Mr. Rauch confirmed that he will bring a sample ordinance at the next work session. Mr. Denning stated they can bring the discussion up at a regular meeting to move it forward. Deputy Mayor Lommatzsch stated the discussion did not get publicized meaning that it did not get aired. Mr. Maxfield stated he would like it brought up at the work session for the public. Mr. Rauch commented that it was on the agenda, though the meeting was not streamed. Discussion was held over it being a public meeting.

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one came forward to comment.

COUNCIL MEMBER COMMENTS: Mr. Denning commented that he received an email about cars blowing through Eastman, and there aren't any speed limit signs on there anymore that used to be. This week already they had speed limit signs up, and he received a thank you note from the person that sent the e-mail. He thanked all the staff that was involved in making that happen. Deputy Mayor Lommatzsch commented that

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is the same for pot holes being responded to quickly. Mayor Williams stated that many are aware of the situation at Stebbins a week ago where a young lady had to been taken to Dayton Childrens Hospital and then to Cincinnati Childrens and then to the UC Medical Center. He would like, when it is appropriate, as a council to recognize Emily Martin and Alex Brummett who are the athletic trainers at Stebbins that responded quickly when the medical event occurred. The young lady, Ebonie, is still battling through. Last Friday at Carroll High School, they led an entire school prayer service for Ebonie. He also thanked the Riverside paramedics who worked with their life savings efforts on this young lady. He would like to recognize the trainers and invite them to a meeting at the appropriate time to honor them, but obviously they have to be respectful of everything else happening with the with the young lady. He stated they will still pray for the young lady and her family and continued recovery. Mr. Joseph stated that the reason he was late and why he was wearing purple today is because he had been at a funeral. He added that life is short, and people don't realize it until they have an event that makes them contemplate how important people are in your life, especially when it is someone so young – a teenager. His husband's cousin, Caleb, 19, a Stebbins graduate at the top of his class. He won state for the Schools USA HVAC program. He had an aspiring career and was going through apprentice classes at Sinclair. He also had epilepsy and didn't make it through one night. He released a balloon with a note that said to the person who finds it to call someone and tell them they are appreciated. Mr. Maxfield stated the Riverside Amateur Baseball and Softball Association fish fry is March 25, at the ABP Hall, formerly the IUE Hall, at 1675 Woodman Drive from 6 – 11 pm. Tickets are \$15 in advance; \$20 at the door. Kids ten and under are free.

ADJOURNMENT: Mr. Joseph moved, seconded by Mr. Maxfield, to adjourn. All were in favor. **Motion carried.** The meeting adjourned at 7:36 pm.



Peter J. Williams, Mayor



Clerk of Council

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